©
Government of Kerala
1984

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIX] Trivandrum, Friday, 6th January 1984 / 16th Pousha 1905 [No. 13

GOVERNMENT OF KERALA

Law (Legislation—C) Department

NOTIFICATION

No. 17834-Leg. C2/83/Law. *Dated, Trivandrum, 6th January, 1984/ 16th Pousha, 1905.*

The following Ordinance promulgated by the Governor on the 5th day of January, 1984, is hereby published for general information.

By order of the Governor,

P. P. MATHAI,
Special Secretary (Law).

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1984.

33/66/MC.

ORDINANCE No. 1 OF 1984

THE KERALA MUNICIPALITIES (AMENDMENT) ORDINANCE, 1984

Promulgated by the Governor of Kerala in the Thirty-fourth Year of the Republic of India.

AN

ORDINANCE

further to amend the Kerala Municipalities Act, 1960.

Preamble.—WHEREAS the Kerala Municipalities (Amendment) Ordinance, 1982 (2 of 1982), was promulgated by the Governor of Kerala on the 30th day of September, 1982;

AND WHEREAS a Bill to replace the said Ordinance by an Act of the Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 25th day of February, 1983 and ended on the 30th day of March, 1983;

AND WHEREAS in order to keep alive the provisions of the said Ordinance, the Kerala Municipalities (Amendment) Ordinance, 1983 (10 of 1983), was promulgated by the Governor of Kerala on the 6th day of April, 1983;

AND WHEREAS a Bill to replace Ordinance 10 of 1983 by an Act of the Legislature could not be passed by the Legislative Assembly of the State of Kerala during its session which commenced on the 20th day of June, 1983 and ended on the 4th day of August, 1983;

AND WHEREAS in order to keep alive the provisions of Ordinance 10 of 1983 the Kerala Municipalities (Amendment) Ordinance, 1983 (24 of 1983), was promulgated by the Governor of Kerala on the 20th day of August, 1983;

AND WHEREAS a Bill to replace Ordinance 24 of 1983 by an Act of the Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 25th day of November, 1983 and ended on the 20th day of December, 1983;

AND WHEREAS under sub-clause (a) of clause (2) of article 213 of the Constitution of India, Ordinance 24 of 1983 will cease to operate on the 6th day of January, 1984;

AND WHEREAS difficulties will arise if the provisions of that Ordinance are not kept alive;

AND WHEREAS the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Kerala Municipalities (Amendment) Ordinance, 1984.

(2) It shall be deemed to have come into force on the 30th day of September, 1982.

2. *Act* 14 *of* 1961 *to be temporarily amended.*—During the period of operation of this Ordinance, the Kerala Municipalities Act, 1960 (14 of 1961) (hereinafter referred to as the principal Act), shall have effect subject to the amendment specified in section 3.

3. *Amendment of section* 412.—In sub-section (2) of section 412 of the principal Act, for the words "forty-five months", the words "seventy-two months" shall be substituted.

4. *Repeal and saving.*—(1) The Kerala Municipalities (Amendment) Ordinance, 1983 (24 of 1983), is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Ordinance.

P. RAMACHANDRAN,
GOVERNOR.

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIX] **Trivandrum, Friday,** **6th January 1984 / 16th Pousha 1905** **[No. 14**

GOVERNMENT OF KERALA

Law (Legislation—C) Department

NOTIFICATION

No. 18500-Leg. C1/83/Law. *Dated, Trivandrum, 6th January, 1984/ 16th Pousha, 1905.*

The following Ordinance promulgated by the Governor on the 5th day of January, 1984, is hereby published for general information.

By order of the Governor,

P. P. MATHAI,
Special Secretary (Law).

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1984.

33/67/MC.

ORDINANCE No. 2 OF 1984

THE UNIVERSITY LAWS (AMENDMENT) ORDINANCE, 1984

Promulgated by the Governor of Kerala in the Thirty-fourth Year of the Republic of India.

AN

ORDINANCE

further to amend the Kerala University Act, 1974 *and the Calicut University Act,* 1975.

Preamble.—WHEREAS the University Laws (Amendment) Ordinance, 1982 (6 of 1982), was promulgated by the Governor of Kerala on the 17th day of November, 1982;

AND WHEREAS a Bill to replace the said Ordinance by an Act of the Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 25th day of February, 1983 and ended on the 30th day of March, 1983;

AND WHEREAS in order to keep alive the provisions of the said Ordinance, the University Laws (Amendment) Ordinance, 1983 (11 of 1983), was promulgated by the Governor of Kerala on the 6th day of April, 1983;

AND WHEREAS a Bill to replace Ordinance 11 of 1983 by an Act of the Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 20th day of June, 1983 and ended on the 4th day of August, 1983;

AND WHEREAS in order to keep alive the provisions of Ordinance 11 of 1983, the University Laws (Amendment) Ordinance, 1983 (26 of 1983), was promulgated by the Governor of Kerala on the 20th day of August, 1983;

AND WHEREAS a Bill to replace Ordinance 26 of 1983 by an Act of the Legislature could not be passed by the Legislative Assembly of the State of Kerala during its session which commenced on the 25th day of November, 1983 and ended on the 20th day of December, 1983;

AND WHEREAS under sub-clause (a) of clause (2) of article 213 of the Constitution of India, Ordinance 26 of 1983, will cease to operate on the 6th day of January, 1984;

AND WHEREAS difficulties will arise if the provisions of that Ordinance are not kept alive;

AND WHEREAS the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the University Laws (Amendment) Ordinance, 1984.

(2) It shall be deemed to have come into force on the 18th day of November, 1982.

2. *Act* 17 *of* 1974 *and* 5 *of* 1975 *to be temporarily amended.*—During the period of operation of this Ordinance, the Kerala University Act, 1974 (17 of 1974) and the Calicut University Act, 1975 (5 of 1975), shall have effect subject to the amendments specified in section 3 and section 4 respectively.

3. *Amendment of Act* 17 *of* 1974.—In the Kerala University Act, 1974 (17 of 1974), in section 56,—

(a) in sub-section (1), after the words "affiliation to the University of any college", the words "or for affiliation in new courses in any affiliated college" shall be inserted;

(b) for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) The terms and conditions of affiliation of a college or of affiliation in new courses in an affiliated college and the procedure to be followed by the Syndicate in granting such affiliation, including the period within which the Syndicate shall consider an application under sub-section (1), shall be prescribed by the Statutes:

Provided that the Chancellor may, by notification in the Gazette, for reasons to be specified in the notification, extend the period within which the Syndicate shall consider any application under sub-section (1), whether such period has already expired or not, by such further period, not exceeding one year, as may be specified in such notification.".

4. *Amendment of Act* 5 *of* 1975.—In the Calicut University Act, 1975 (5 of 1975), in section 56,—

(a) in sub-section (1), after the words "affiliation to the University of any college", the words "or for affiliation in new courses in any affiliated college" shall be inserted;

(b) for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) The terms and conditions of affiliation of a college or of affiliation in new courses in an affiliated college and the procedure to be followed by the Syndicate in granting such affiliation, including the period within which the Syndicate shall consider an application under sub-section (1), shall be prescribed by the Statutes:

Provided that the Chancellor may, by notification in the Gazette, for reasons to be specified in the notification, extend the period within which the Syndicate shall consider any application under sub-section (1), whether such period has already expired or not, by such further period, not exceeding one year, as may be specified in such notification.".

5. *Repeal and saving.*—(1) The University Laws (Amendment) Ordinance, 1983 (26 of 1983), is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the Kerala University Act, 1974 (17 of 1974), or the Calicut University Act, 1975 (5 of 1975), as amended by the said Ordinance, shall be deemed to have been done or taken under the Kerala University Act, 1974 or, as the case may be, the Calicut University Act, 1975, as amended by this Ordinance.

P. RAMACHANDRAN,

GOVERNOR.

©
Government of Kerala
1984

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIX] Trivandrum, Friday, 6th January 1984 / 16th Pousha 1905 [No. 15

GOVERNMENT OF KERALA

Law (Legislation—C) Department

NOTIFICATION

No. 19365-Leg. C1/83/Law. *Dated, Trivandrum, 6th January, 1984/ 16th Pousha, 1905.*

The following Ordinance promulgated by the Governor on the 5th day of January, 1984, is hereby published for general information.

By order of the Governor,

P. P. MATHAI,
Special Secretary (Law).

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1984.

33/68/MC.

ORDINANCE No. 3 OF 1984

THE KERALA EDUCATION (AMENDMENT) ORDINANCE, 1984

Promulgated by the Governor of Kerala in the Thirty-fourth Year of the Republic of India.

AN

ORDINANCE

further to amend the Kerala Education Act, 1958.

Preamble.—WHEREAS the Kerala Education (Amendment) Ordinance, 1982 (3 of 1982), was promulgated by the Governor of Kerala on the 11th day of October, 1982;

AND WHEREAS a Bill to replace the said Ordinance by an Act of the Legislature could not be passed by the Legislative Assembly of the State of Kerala during its session which commenced on the 25th day of February, 1983 and ended on the 30th day of March, 1983;

AND WHEREAS in order to keep alive the provisions of the said Ordinance, the Kerala Education (Amendment) Ordinance, 1983 (12 of 1983), was promulgated by the Governor of Kerala on the 6th day of April, 1983;

AND WHEREAS a Bill to replace Ordinance 12 of 1983 by an Act of the Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 20th day of June, 1983 and ended on the 4th day of August, 1983;

And whereas in order to keep alive the provisions of Ordinance 12 of 1983, the Kerala Education (Amendment) Ordinance, 1983 (25 of 1983), was promulgated by the Governor of Kerala on the 20th day of August, 1983;

And whereas a Bill to replace Ordinance 25 of 1983 by an Act of the Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 25th day of November, 1983 and ended on the 20th day of December, 1983;

And whereas under sub-clause (a) of clause (2) of article 213 of the Constitution of India, Ordinance 25 of 1983 will cease to operate on the 6th day of January, 1984;

And whereas difficulties will arise if the provisions of that Ordinance are not kept alive;

And whereas the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Kerala Education (Amendment) Ordinance, 1984.

(2) It shall be deemed to have come into force on the 13th day of October, 1982.

2. *Act* 6 *of* 1959 *to be temporarily amended.*—During the period of operation of this Ordinance, the Kerala Education Act, 1958 (6 of 1959) (hereinafter referred to as the principal Act), shall have effect subject to the amendment specified in section 3.

3. *Amendment of section* 36.—In sub-section (1) of section 36 of the principal Act, after the words "The Government may make rules", the words ", either prospectively or retrospectively," shall be inserted.

4. *Repeal and saving.*—(1) The Kerala Education (Amendment) Ordinance, 1983 (25 of 1983), is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Ordinance.

P. RAMACHANDRAN,
GOVERNOR.

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIX] **Trivandrum, Friday, 6th January 1984 / 16th Pousha 1905** **[No. 16**

GOVERNMENT OF KERALA

Law (Legislation—B) Department

NOTIFICATION

No. 17449/Leg. B1/83/Law. *Dated, Trivandrum, 6th January, 1984/ 16th Pousha, 1905.*

The following Ordinance promulgated by the Governor on the 5th day of January, 1984, is hereby published for general information.

By order of the Governor,

P. P. MATHAI,
Special Secretary (Law).

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1984.

33/69/MC.

ORDINANCE No. 5 OF 1984

THE KERALA FISHERMEN WELFARE SOCIETIES (AMENDMENT) ORDINANCE, 1984

Promulgated by the Governor of Kerala in the Thirty-fourth Year of the Republic of India.

AN

ORDINANCE

to amend the Kerala Fishermen Welfare Societies Act, 1980.

Preamble.—WHEREAS the Kerala Fishermen Welfare Societies (Amendment) Ordinance, 1983 (19 of 1983), was promulgated by the Governor of Kerala on the 3rd day of June, 1983;

AND WHEREAS a Bill to replace the said Ordinance by an Act of the Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 20th day of June, 1983 and ended on the 4th day of August, 1983;

AND WHEREAS in order to keep alive the provisions of the said Ordinance the Kerala Fishermen Welfare Societies (Amendment) Ordinance, 1983 (23 of 1983), was promulgated by the Governor of Kerala on the 20th day of August, 1983;

AND WHEREAS a Bill to replace Ordinance 23 of 1983 by an Act of the Legislature could not be passed by the Legislative Assembly of the State of Kerala during its session which commenced on the 25th day of November, 1983 and ended on the 20th day of December, 1983;

AND WHEREAS under sub-clause (a) of clause (2) of article 213 of the Constitution of India, Ordinance 23 of 1983 will cease to operate on the 6th day of January, 1984;

AND WHEREAS difficulties will arise if the provisions of the said Ordinance are not kept alive;

AND WHEREAS the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Kerala Fishermen Welfare Societies (Amendment) Ordinance, 1984.

(2) It shall be deemed to have come into force on the 4th day of June, 1983.

2. *Act 7 of 1981 to be temporarily amended.*—During the period of operation of this Ordinance, the Kerala Fishermen Welfare Socicties Act, 1980 (7 of 1981) (hereinafter referred to as the principal Act), shall have effect subject to the amendments specified in sections 3 and 4.

3. *Amendment of section 9.*—In section 9 of the principal Act,—

(i) to sub-section (1), the following proviso shall be added, namely:—

"Provided that the first committee after the commencement of this Act, of every society shall consist of not less than six and not more than ten members nominated by the Government.";

(ii) to sub-section (4), the following proviso shall be added, namely:—

"Provided that a member of the first committee after the commencement of this Act shall hold office for a period of three years from the date of his nomination.".

4. *Amendment of section 10.*—In section 10 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely:—

"(3) The Government may remove from office any member of the first committee after the commencement of this Act, who—

(a) is or has become subject to any of the disqualifications mentioned in sub-section (1); or

(b) is absent without leave of the committee for more than three consecutive meetings of the committee:

Provided that no such memher shall be removed on the ground mentioned in clause (a) without giving him an opportunity of being heard.".

5. *Repeal and saving.*—(1) The Kerala Fishermen Welfare Societies (Amendment) Ordinance, 1983 (23 of 1983), is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Ordinance.

P. RAMACHANDRAN,

GOVERNOR

© Government of Kerala 1984

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIX]	Trivandrum, Friday,	6th January 1984 / 16th Pousha 1905	[No. 17

GOVERNMENT OF KERALA

Law (Legislation—B) Department

NOTIFICATION

No. 19442/Leg. B1/83/Law. *Dated, Trivandrum, 6th January, 1984/ 16th Pousha, 1905.*

The following Ordinance promulgated by the Governor on the 5th day of January, 1984, is hereby published for general information.

By order of the Governor,

P. P. MATHAI,
Special Secretary (Law).

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1984.

33/70/MC.

ORDINANCE No. 6 OF 1984

THE IRRIGATION LAWS (AMENDMENT) ORDINANCE, 1984

Promulgated by the Governor of Kerala in the Thirty-fourth Year of the Republic of India.

AN

ORDINANCE

further to amend the Madras Irrigation Cess Act, 1865 *and the Malabar Irrigation Works (Construction and Levy of Cess) Act,* 1947.

Preamble.—WHEREAS under sub-clause (a) of clause (2) of article 213 of the Constitution of India, the Irrigation Laws (Amendment) Ordinance, 1983 (33 of 1983), promulgated by the Governor of Kerala on the 23rd day of September, 1983 will cease to operate on the 6th day of January, 1984;

AND WHEREAS a Bill to replace the said Ordinance by an Act of the Legislature could not introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 25th day of November, 1983 and ended on the 20th day of December, 1983;

AND WHEREAS difficulties will arise if the provisions of the said Ordinance are not kept alive;

AND WHEREAS the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Irrigation Laws (Amendment) Ordinance, 1984.

(2) It shall be deemed to have come into force on the 24th day of September, 1983.

2. *Madras Act VII of* 1865 *and Madras Act VII of* 1947 *to be temporarily amended.*—During the period of operation of this Ordinance, the Madras Irrigation Cess Act, 1865 (Madras Act VII of 1865) and the Malabar Irrigation Works (Construction and Levy of Cess) Act, 1947 (Madras Act VII of 1947), as in force in the Malabar District referred to in sub-section (2) of section 5 of the States Reorganisation Act, 1956 (Central Act 37 of 1956), shall have effect subject to the amendments specified in sections 3 and 4 respectively.

3. *Amendment of Madras Act VII of* 1865.—Section 2 of the Madras Irrigation Cess Act, 1865 (Madras Act VII of 1865), shall be renumbered as sub-section (1) of that section and—

(a) in sub-section (1) as so renumbered, after the words "water cess payable under this Act", the words "together with the interest due thereon" shall be inserted;

(b) after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:—

"(2) Arrears of water cess payable under this Act shall bear interest at the rate of four per cent per annum.".

4. *Amendment of Madras Act VII of* 1947.—Section 13 of the Malabar Irrigation Works (Construction and Levy of Cess) Act, 1947 (Madras Act VII of 1947) shall be renumbered as sub-section (1) of that section and—

(a) in sub-section (1) as so renumbered, after the words "under this Act", the words "and the interest due thereon" shall be inserted;

(b) after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:—

"(2) Arrears of water cess payable under this Act shall bear interest at the rate of four per cent per annum.".

5. *Repeal and saving.*—(1) The Irrigation Laws (Amendment) Ordinance 1983 (33 of 1983) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the Madras Irrigation Cess Act, 1865 (Madras Act VII of 1865), or the Malabar Irrigation Works (Construction and Levy of Cess) Act, 1947 (Madras Act VII of 1947), as amended by the said Ordinance, shall be deemed to have been done or taken under the Madras Irrigation Cess Act, 1865 or, as the case may be, the Malabar Irrigation Works (Construction and Levy of Cess) Act, 1947, as amended by this Ordinance.

P. RAMACHANDRAN,
GOVERNOR.

©
Government of Kerala
1984

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIX] Trivandrum, Friday, 6th January 1984 / 16th Pousha 1905 [No. 18

GOVERNMENT OF KERALA

Law (Legislation—A) Department

NOTIFICATION

No. 17923/Leg. (A)1/83/Law. *Dated, Trivandrum, 6th January, 1984/ 16th Pousha, 1905.*

The following Ordinance promulgated by the Governor on the 5th day of January, 1984, is hereby published for general information.

By order of the Governor,

P. P. MATHAI,
Special Secretary (Law).

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1984.

33/71/MC.

ORDINANCE No. 7 OF 1984

THE KERALA REVENUE RECOVERY (AMENDMENT) ORDINANCE, 1984

Promulgated by the Governor of Kerala in the Thirty-fourth Year of the Republic of India.

AN

ORDINANCE

to amend the Kerala Revenue Recovery Act, 1968.

Preamble.—WHEREAS the Kerala Revenue Recovery (Amendment) Ordinance, 1983 (9 of 1983), was promulgated by the Governor of Kerala on the 22nd day of February, 1983;

AND WHEREAS a Bill to replace the said Ordinance by an Act of the Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 25th day of February, 1983 and ended on the 30th day of March, 1983;

AND WHEREAS in order to keep alive the provisions of the said Ordinance the Kerala Revenue Recovery (Amendment) Ordinance, 1983 (15 of 1983), was promulgated by the Governor of Kerala on the 6th day of April, 1983;

AND WHEREAS a Bill to replace Ordinance 15 of 1983 by an Act of the Legislature could not be passed by the Legislative Assembly of the State of Kerala during its session which commenced on the 20th day of June, 1983 and ended on the 4th day of August, 1983;

AND WHEREAS in order to keep alive the provisions of Ordinance 15 of 1983 the Kerala Revenue Recovery (Amendment) Ordinance, 1983 (28 of 1983), was promulgated by the Governor of Kerala on the 20th day of August, 1983;

AND WHEREAS a Bill to replace Ordinance 28 of 1983, by an Act of the Legislature could not be passed by the Legislative Assembly of the State of Kerala during its session which commenced on the 25th day of November, 1983 and ended on the 20th day of December, 1983;

AND WHEREAS under sub-clause (a) of clause (2) of article 213 of the Constitution of India, Ordinance 28 of 1983 will cease to operate on the 6th day of January, 1984;

AND WHEREAS difficulties will arise if the provisions of that Ordinance are not kept alive;

AND WHEREAS the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Kerala Revenue Recovery (Amendment) Ordinance, 1984.

(2) It shall be deemed to have come into force on the 22nd day of February, 1983.

2. *Act 15 of 1968 to be temporarily amended.*—During the period of operation of this Ordinance, the Kerala Revenue Recovery Act, 1968 (15 of 1968) (hereinafter referred to as the principal Act), shall have effect subject to the amendments specified in sections 3 and 4.

3. *Amendment of section 7.*—In section 7 of the principal Act, for the words "shall show the demand in writing to the defaulter", the words "shall serve the demand in writing on the defaulter" shall be substituted.

4. *Amendment of section 74.*—In section 74 of the principal Act, for the words "notice or order", wherever they occur, the words "notice, demand or order" shall be substituted.

5. *Repeal and saving.*—(1) The Kerala Revenue Recovery (Amendment) Ordinance, 1983 (28 of 1983) is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Ordinance.

P. RAMACHANDRAN,

GOVERNOR.

©
Government of Kerala
1984

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIX] **Trivandrum, Friday** **6th January 1984 / 16th Pousha 1905** **[No. 19**

GOVERNMENT OF KERALA

Law (Legislation—A) Department

NOTIFICATION

No. 21509/Leg. (A)1/83/Law. *Dated, Trivandrum, 6th January, 1984/ 16th Pousha, 1905.*

The following Ordinance promulgated by the Governor on the 5th day of January, 1984, is hereby published for general information.

By order of the Governor,

P. P. MATHAI,
Special Secretary (Law).

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1984.

33/72/MC.

ORDINANCE No. 8 OF 1984

THE KERALA SURVEY AND BOUNDARIES (AMENDMENT) ORDINANCE, 1984

Promulgated by the Governor of Kerala in the Thirty-fourth Year of the Republic of India.

AN

ORDINANCE

further to amend the Kerala Survey and Boundaries Act, 1961.

Preamble.—WHEREAS under sub-clause (a) of clause (2) of article 213 of the Constitution of India the Kerala Survey and Boundaries (Amendment) Ordinance, 1983 (40 of 1983) promulgated by the Governor of Kerala on the 18th day of November, 1983 will cease to operate on the 6th day of January, 1984;

AND WHEREAS a Bill to replace the said Ordinance by an Act of the Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 25th day of November, 1983 and ended on the 20th day of December, 1983;

AND WHEREAS difficulties will arise if the provisions of the said Ordinance are not kept alive;

AND WHEREAS the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Kerala Survey and Boundaries (Amendment) Ordinance, 1984.

(2) It shall be deemed to have come into force on the 19th day of November, 1983.

2. *Act 37 of 1961 to be temporarily amended.*—During the period of operation of this Ordinance, the Kerala Survey and Boundaries Act, 1961 (37 of 1961) (hereinafter referred to as the principal Act), shall have effect subject to the amendments specified in sections 3 and 4.

3. *Amendment of section 6.*—In section 6 of the principal Act, to sub-section (1), the following proviso shall be added, namely:—

"Provided that where the survey is ordered for the purpose of, or in connection with, the acquisition of any land under the law relating to compulsory acquisition of land for public purposes for the time being in force, the notification under this sub-section may be published in the Gazette or in two daily newspapers which, in the opinion of the Survey Officer, have wide circulation in the locality in which the land in respect of which the survey has been ordered is situated.".

4. *Amendment of section 9.*—In section 9 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) Notice of every decision of the Survey Officer under sub-section (1) shall be published—

(a) in the Gazette or in two daily newspapers which, in the opinion of the Survey Officer, have wide circulation in the locality in which the lands, the boundaries of which may be affected by the decision, are situated;

(b) in the offices of the village and the taluk in which such lands are situated; and

(c) in the office of the panchayat or the municipal council or municipal corporation, as the case may be, within whose jurisdiction such lands are situated.".

5. *Repeal and saving.*—(1) The Kerala Survey and Boundaries (Amendment) Ordinance, 1983 (40 of 1983) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Ordinance.

P. RAMACHANDRAN,
GOVERNOR

Government of Kerala
1984

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIX] Trivandrum, Friday, 6th January 1984 / 16th Pousha 1905 [No. 25

GOVERNMENT OF KERALA

Law (Legislation—B) Department

NOTIFICATION

No. 20703/Leg. B1/83/Law. *Dated, Trivandrum, 6th January, 1984/ 16th Pousha, 1905*

The following Ordinance promulgated by the Governor on the 5th day of January, 1984, is hereby published for general information.

By order of the Governor,

P. P. MATHAI,
Special Secretary (Law).

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM 1984.

33/73/MC.

ORDINANCE No. 9 OF 1984

THE KERALA CIVIL COURTS (AMENDMENT) ORDINANCE, 1984

Promulgated by the Governor of Kerala in the Thirty-fourth Year of the Republic of India.

AN

ORDINANCE

further to amend the Kerala Civil Courts Act, 1957.

Preamble.—WHEREAS under sub-clause (a) of clause (2) of article 213 of the Constitution of India, the Kerala Civil Courts (Amendment) Ordinance, 1983 (31 of 1983), promulgated by the Governor of Kerala on the 5th day of September, 1983, will cease to operate on the 6th day of January 1984;

AND WHEREAS a Bill to replace the said Ordinance by an Act of the Legislature could not be introduced in, and passed by the Legislative Assembly of the State of Kerala during its session which commenced on the 25th day of November, 1983 and ended on the 20th day of December, 1983;

AND WHEREAS difficulties will arise if the provisions of the said Ordinance are not kept alive;

AND WHEREAS the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action.

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title.*—This Ordinance may be called the Kerala Civil Courts (Amendment) Ordinance, 1984.

2. *Act 1 of 1957 to be temporarily amended.*—During the period of operation of this Ordinance, the Kerala Civil Courts Act, 1957 (1 of 1957) (hereinafter referred to as the principal Act), shall have effect subject to the amendments specified in sections 3 and 4.

3. *Amendment of section 11.*—In sub-section (2) of section 11 of the principal Act, for the words "five thousand rupees", the words "fifteen thousand rupees" shall be substituted.

4. *Amendment of section 13.*—In sub-section (1) of section 13 of the principal Act, for the words "ten thousand rupees", the words "twenty-five thousand rupees" shall be substituted.

5. *Repeal and saving.*—(1) The Kerala Civil Courts (Amendment) Ordinance, 1983 (31 of 1983), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by section 3 of this Ordinance, as if that section had come into force on the 6th day of September, 1983.

P. RAMACHANDRAN,
GOVERNOR.

©
Government of Kerala
1984

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIX] **Trivandrum, Friday,** **6th January 1984 / 16th Pousha 1905** **[No. 21**

GOVERNMENT OF KERALA

Law (Legislation—B) Department

NOTIFICATION

No. 21066/Leg. B2/83/Law. *Dated, Trivandrum, 6th January, 1984/ 16th Pousha, 1905.*

The following Ordinance promulgated by the Governor on the 5th day of January, 1984, is hereby published for general information.

By order of the Governor,

P. P. MATHAI,
Special Secretary (Law).

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1984.

33/74/MC.

ORDINANCE No. 10 OF 1984

THE KERALA TOLLS (AMENDMENT) ORDINANCE, 1984

Promulgated by the Governor of Kerala in the Thirty-fourth Year of the Republic of India.

AN

ORDINANCE

to amend the Kerala Tolls Act, 1976.

Preamble.—WHEREAS under sub-clause (a) of clause (2) of article 213 of the Constitution of India, the Kerala Tolls (Amendment) Ordinance, 1983 (41 of 1983), promulgated by the Governor of Kerala on the 23rd day of November, 1983, will cease to operate on the 6th day of January, 1984;

AND WHEREAS a Bill to replace the said Ordinance by an Act of the Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 25th day of November, 1983 and ended on the 20th day of December, 1983;

AND WHEREAS difficulties will arise if the provisions of the said Ordinance are not kept alive;

AND WHEREAS the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Kerala Tolls (Amendment) Ordinance, 1984.

(2) It shall be deemed to have come into force on the 23rd day of November, 1983.

2. *Act 6 of 1977 to be temporarily amended.*—During the period of operation of this Ordinance, the Kerala Tolls Act, 1976 (6 of 1977) (hereinafter referred to as the principal Act), shall have effect subject to the amendment specified in section 3.

3. *Amendment of section 3.*—In section 3 of the principal Act, to sub-section (1), the following proviso shall be added, namely:—

"Provided that if the Government are of opinion that it is necessary in the public interest so to do, they may, by notification in the Gazette, specify any bridge in respect of which no toll shall be leviable under this sub-section.".

4. *Repeal and saving.*—(1) The Kerala Tolls (Amendment) Ordinance, 1983 (41 of 1983), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Ordinance.

P. RAMACHANDRAN,

GOVERNOR.

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIX] **Trivandrum, Friday, 6th January 1984 / 16th Pousha 1905** [No. 22

GOVERNMENT OF KERALA

Law (Legislation—B) Department

NOTIFICATION

No. 18844/Leg. B2/33/Law. *Dated, Trivandrum, 6th January, 1984/ 16th Pousha, 1905.*

The following Ordinance promulgated by the Governor on the 5th day of January, 1984, is hereby published for general information.

By order of the Governor,

P. P. MATHAI,
Special Secretary (Law).

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1984.

33/75/MC.

ORDINANCE No. 11 OF 1984

THE KERALA PUBLIC BUILDINGS (EVICTION OF UNAUTHORISED OCCUPANTS) AMENDMENT ORDINANCE, 1984

Promulgated by the Governor of Kerala in the Thirty-fourth Year of the Republic of India.

AN

ORDINANCE

further to amend the Kerala Public Buildings (Eviction of Unauthorised Occupants) Act, 1968.

Preamble.—WHEREAS the Kerala Public Buildings (Eviction of Unauthorised Occupants) Amendment Ordinance, 1983 (4 of 1983), was promulgated by the Governor of Kerala on the 4th day of February, 1983;

AND WHEREAS a Bill to replace the said Ordinance by an Act of the Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 25th day of February, 1983 and ended on the 30th day of March, 1983;

AND WHEREAS in order to keep alive the provisions of the said Ordinance, the Kerala Public Buildings (Eviction of Unauthorised Occupants) Amendment Ordinance, 1983 (14 of 1983), was promulgated by the Governor of Kerala on the 6th day of April, 1983;

AND WHEREAS a Bill to replace Ordinance 14 of 1983 by an Act of the Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 20th day of June, 1983 and ended on the 4th day of August, 1983;

AND WHEREAS in order to keep alive the provisions of Ordinance 14 of 1983, the Kerala Public Buildings (Eviction of Unauthorised Occupants) Amendment Ordinance, 1983 (27 of 1983), was promulgated by the Governor of Kerala on the 20th day of August, 1983;

AND WHEREAS a Bill to replace Ordinance 27 of 1983 by an Act of the Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 25th day of November, 1983 and ended on the 20th day of December, 1983;

AND WHEREAS under sub-clause (a) of clause (2) of article 213 of the Constitution of India, Ordinance 27 of 1983 will cease to operate on the 6th day of January, 1984;

AND WHEREAS difficulties will arise if the provisions of that Ordinance are not kept alive;

AND WHEREAS the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is statisfied that circumstances exist which render it necessary for him to take immediate action;

NOW THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called the Kerala Public Buildings (Eviction of Unauthorised Occupants) Amendment Ordinance, 1984.

(2) It shall be deemed to have come into force on the 7th day of February, 1983.

2. *Act* 25 *of* 1968 *to be temporarily amended.*—During the period of operation of this Ordinance, the Kerala Public Buildings (Eviction of Unauthorised Occupants) Act, 1968 (25 of 1968) (hereinafter referred to as the principal Act), shall have effect subject to the amendments specified in sections 3 to 9 (both inclusive).

3. *Amendment of section* 2.—In section 2 of the principal Act,—

(1) clause (a) shall be re-lettered as clause (aaa) and before that clause, the following clauses shall be inserted, namely:—

"(a) "company" means a company in which not less than fifty-one per cent of the paid up share capital is held by the Government of Kerala or jointly by the Central Government and the Government of Kerala, and includes a company which is a subsidiary of any such company;

(aa) "corporation" means a corporation established or constituted by or under any Central or State Act and owned or controlled by the Government of Kerala;";

(2) in clause (d), in the opening paragraph, after the words "or a local authority", the words "or a company or a corporation" shall be inserted.

4. *Amendment of section* 3.—In section 3 of the principal Act, for the proviso to clause (a), the following proviso shall be substituted, namely:—

"Provided that—

(i) in the case of a local authority, the executive authority of that local authority; and

(ii) in the case of a company or a corporation, an officer of that company or corporation,

shall be appointed as estate officer;".

5. *Amendment of section* 6.—In section 6 of the principal Act, in sub-section (2), after the words "or the local authority", the words "or the company or the corporation" shall be inserted.

6. *Amendment of section* 12.—In section 12 of the principal Act, in sub-section (2), for the words "or to a local authority", the words "or a local authority or a company or a corporation" shall be substituted.

7. *Amendment of section* 13.—In section 13 of the principal Act, for the words, "or to a local authority", the words "or a local authority or a company or a corporation" shall be substituted.

8. *Amendment of section* 14.—In section 14 of the principal Act, after the words "or the local authority", the words "or the company or the corporation" shall be inserted.

9. *Amendment of section* 17.—In section 17 of the principal Act, after the words "or a local authority", the words "or a company or a corporation" shall be inserted.

10. *Repeal and saving.*—(1) The Kerala Public Buildings (Eviction of Unauthorised Occupants) Amendment Ordinance, 1983 (27 of 1983), is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Ordinance.

P. RAMACHANDRAN,

GOVERNOR

Government of Kerala
1984

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIX] Trivandrum, Friday, 6th January 1984 / 16th Pousha 1905 [No. 23

GOVERNMENT OF KERALA

Law (Legislation—A) Department

NOTIFICATION

No. 18927/Leg. A2/83/Law. *Dated, Trivandrum, 6th January, 1984/ 16th Pousha, 1905.*

The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the Governor on the 4th day of January, 1984.

By order of the Governor,

P. P. MATHAI,
Special Secretary (Law).

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1984.

33/76/MC.

ACT 1 OF 1984

THE LEGISLATIVE ASSEMBLY (REMOVAL OF DISQUALIFICATIONS) AMENDMENT ACT, 1983

An Act further to amend the Legislative Assembly (Removal of Disqualifications) Act, 1951.

Preamble.—WHEREAS it is expedient further to amend the Legislative Assembly (Removal of Disqualifications) Act, 1951, for the purpose hereinafter appearing;

BE it enacted in the Thirty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Legislative Assembly (Removal of Disqualifications) Amendment Act, 1983.

(2) It shall be deemed to have come into force on the 1st day of November, 1982.

2. *Amendment of section* 2.—In section 2 of the Legislative Assembly (Removal of Disqualifications) Act, 1951 (XV of 1951) (hereinafter referred to as the principal Act), in clause (ii) of sub-section (2), after the words "the Chairman", the words "or Vice-Chairman" shall be inserted.

3. *Repeal and saving.*—(1) The Legislative Assembly (Removal of Disqualifications) Amendment Ordinance, 1983 (22 of 1983), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIX] Trivandrum, Friday, 6th January 1984 / 16th Pousha 1905 [No. 24

GOVERNMENT OF KERALA

Law (Legislation—B) Department

NOTIFICATION

No. 20061/Leg. B2/83/Law. *Dated, Trivandrum, 6th January, 1984/ 16th Pousha, 1905.*

The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the Governor on the 2nd day of January, 1984.

By order of the Governor,

P. P. MATHAI,
Special Secretary (Law).

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1984.

33/77/MC.

ACT 2 OF 1984

THE KERALA MOTOR VEHICLES (TAXATION OF PASSENGERS AND GOODS) REVIVAL AND SPECIAL PROVISIONS ACT, 1983

An Act to revive and amend the Kerala Motor Vehicles (Taxation of Passengers and Goods) Act, 1963 and to make certain special provisions for the levy and collection of tax on goods carried or hauled by articulated vehicles, tractor-trailer combinations, tiller-trailer combinations and trailers drawn by any other motor vehicle, for the period during which the said Act was in force.

Preamble.—WHEREAS in Writ Appeals Nos. 39 and 40 of 1975, a Division Bench of the Kerala High Court has held that tractor-trailer combinations could not be said to be goods vehicles within the meaning of that expression in the Kerala Motor Vehicles (Taxation of Passengers and Goods) Act, 1963;

AND WHEREAS the Kerala Motor Vehicles (Taxation of Passengers and Goods) Act, 1963, has been repealed by section 30 of the Kerala Motor Vehicles Taxation Act, 1976;

AND WHEREAS it has become necessary in the light of the said decision of the Kerala High Court, to revive and amend the Kerala Motor Vehicles (Taxation of Passengers and Goods) Act, 1963, for the purposes of levy and collection of tax under that Act on goods carried or hauled by articulated vehicles, tractor-trailer combinations, tiller-trailer combinations and trailers drawn by any other motor vehicle, for the period commencing on the 1st day of July, 1963 and ending with the 30th day of September, 1975;

BE it enacted in the Thirty-fourth Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Kerala Motor Vehicles (Taxation of Passengers and Goods) Revival and Special Provisions Act, 1983.

(2) It extends to the whole of the State of Kerala.

(3) It shall be deemed to have come into force on the 22nd day of January, 1983.

2. *Interpretation.*—All words and expressions used in this Act shall have the meanings respectively assigned to them in the Kerala Motor Vehicles (Taxation of Passengers and Goods) Act, 1963, as revived and amended by this Act.

3. *Revival of Kerala Act 25 of 1963 and rules made thereunder for certain purposes.*—The Kerala Motor Vehicles (Taxation of Passengers and Goods) Act, 1963 (25 of 1963) (hereinafter referred to as the said Act) and the rules made thereunder are hereby revived and shall be, and shall be deemed always to have been, in force subject to the amendments and special provisions hereinafter contained, for the purposes necessary for, and ancillary to, the levy and collection of tax on goods carried by articulated vehicles, tractor-trailer combinations, tiller-trailer combinations and trailers drawn by any other motor vehicle, for the period commencing on the 1st day of July, 1963 and ending with the 30th day of September, 1975.

4. *Amendment of Act 25 of 1963.*—In the said Act,—

(1) in section 2,—

(i) for clause (a), the following clauses shall be substituted, namely:—

"(a) "articulated vehicle" means a tractor to which a trailer is attached in such a manner that a part of the trailer is super-imposed on, and a part of the weight of the trailer is borne by, the tractor;

(ai) "carriage", with its grammatical variations and cognate expressions, includes haulage;

(aii) "goods vehicle" means any motor vehicle constructed or adapted for use for the carriage of goods solely or in addition to passengers or any motor vehicle not so constructed or adapted when used for the carriage of goods solely or in addition to passengers, and includes an articulated vehicle, a tractor trailer combination, a tiller-trailer combination and a trailer drawn by any other motor vehicle when used for the carriage of goods;";

(ii) for clause (e), the following clause shall be substituted, namely:—

"(e) "public carrier vehicle" means a goods vehicle carrying goods for hire or reward;";

(2) in section 3, for the word "transported", in both the places where it occurs the word "carried" shall be substituted.

(3) for section 4, the following section shall be substituted, namely:—

"4. *Composition of tax.*—The operator may, at his option, compound the tax payable by him under sub-section (3) of section 3 by paying in lieu thereof, a fee fixed in the manner specified in the Schedule, to the prescribed officer or to any other officer authorised by the Government in this behalf by notification in the Gazette, before the 29th day of February, 1984.

(4) in section 14, for the word "transported", the word "carried" shall be substituted.

5. *Special provisions in respect of tax on tractor-trailer combinations.*—(1) Notwithstanding anything to the contrary contained in the said Act or the rules made thereunder, the following provisions shall apply in respect of the tax under the said Act on goods carried by articulated vehicles, tractor-trailer combinations, tiller-trailer combinations and trailers drawn by any other motor vehicle, for the period commencing on the 1st day of July, 1963 and ending with the 30th day of September, 1975.

(2) The tax referred to in sub-section (1) shall be levied on all goods carried by articulated vehicles, tractor-trailer combinations, tiller-trailer combinations and trailers drawn by any other motor vehicle, at the rates specified in or under the said Act from time to time:

Provided that no tax shall be levied on goods which were exempt from the levy of tax by or under the said Act.

(3) Notwithstanding anything contained in sub-section (1), any tax levied and assessed under the said Act before the commencement of this Act on any goods referred to in that sub-section shall be deemed to have been levied and assessed under the said Act as revived and amended by this Act, and if any tax on such goods has already been paid, the tax so paid shall be adjusted as provided in section 6 towards the tax payable under the said Act as revived and amended by this Act.

(4) The operator of every articulated vehicle, tractor-trailer combination, tiller-trailer combination or trailer drawn by any other motor vehicle, in respect of which tax is payable under the said Act as revived and amended by this Act shall, within a period of ninety days from the date of commencement of this Act apply to the prescribed officer or to any other officer authorised by the Government in this behalf by notification in the Gazette, for assessment of the tax payable by him under the said Act as revived and amended by this Act with a return in the form prescribed under the said Act.

(5) If any operator fails to apply or file the return as required by sub-section (4), the prescribed officer or the officer authorised by the Government under that sub-section shall, after making such inquiry as he deems necessary and after giving the operator an opportunity of being heard, assess the tax payable by the operator to the best of his judgement.

(6) Notwithstanding any provisions regarding limitation in the said Act or in the rules made thereunder, the tax due under the said Act as revived and amended by this Act may be levied and assessed within a period of ten years from the commencement of this Act and recovered in the manner provided under the said Act and the rules made thereunder.

6. *Adjustment of tax already collected.*—(1) The amount of tax on goods carried by any articulated vehicle, tractor-trailer combination, tiller-trailer combination or trailer drawn by any other motor vehicle, for the period commencing on the 1st day of July, 1963 and ending with the 30th day of September 1975, collected from any operator or other person under the said Act, shall be adjusted towards the tax due from him for the said period under the said Act as revived and amended by this Act.

(2) If such tax collected from an operator or other person under the said Act is less than the amount of tax due under the said Act as revived and amended by this Act, only the balance shall be recovered from him and if the tax so collected is in excess, such excess shall be refunded to him.

7. *Repeal and savings.*—(1) The Kerala Motor Vehicles (Taxation of Passengers and Goods) Revival and Special Provisions Ordinance, 1983 (35 of 1983) (hereinafter referred to as the said Ordinance), is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the said Ordinance or under the said Act as revived and amended by the said Ordinance shall be deemed to have been done or taken under this Act or, as the case may be, under the said Act as revived and amended by this Act.

(3) Nothing contained in this Act shall render any person liable to be convicted of an offence in respect of anything done or omitted to be done by him before the 22nd day of January, 1983 or after the cesser of operation of the Kerala Motor Vehicles (Taxation of Passengers and Goods) Revival and Special Provisions Ordinance, 1983 (13 of 1983), and before the date of publication of the said Ordinance in the Gazette.